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Senate

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF ACT, 2005--CONFERENCE REPORT--Continued

Mr. CARPER. Mr. President, in a time of war, nothing is more important than making sure that our fighting men and women have what they need to do their jobs well. It is with our troops in mind that I will vote in favor of this supplemental appropriations conference report.

Having said that, I do have some major concerns about how this bill has been put together and how the Congress has conducted its business with respect to such emergency spending requests over the past several years.

Thousands of brave Americans have been serving our country in war zones since shortly after that fateful day of September 11, 2001. But 4 years later, the President and those of us in this Congress continue to refuse to budget for these wartime expenses. Rather than incorporating the costs of the operations in Iraq and Afghanistan in the budget, these important expenditures continue to be tagged as "emergency spending." Emergency spending should be reserved, in my view, for unforeseen needs.

We know, however, that the need for additional funding for our campaigns in Iraq and Afghanistan is something we should

expect and be able to budget for.

Unfortunately, this is not new for this Congress or for the Bush administration. This is, I believe, the fourth consecutive time that funding for military operations in Iraq and in Afghanistan have been requested outside the regular budgeting and appropriations process.

By not taking into consideration the costs of these supplemental requests, which we all know are coming, the President and the Congress can more easily fudge the true nature of our Federal deficits and what our spending assumptions will be over the foreseeable future. In other words, by keeping the spending out of the budget, the President and this Congress can paint a fiscal picture that is, frankly, rosier than reality.

Contrast, if you will, what we are doing today with what we did during the Vietnam conflict, the conflict I served in and I know others of us did as well. After one supplemental appropriations in 1966, President Johnson and later President Nixon included the cost of our military operations in Vietnam in their annual budget requests,

not in emergency supplemental after emergency supplemental. They requested them in their annual budget request. That approach was the right approach. Whether people approved of the war in Vietnam and our involvement there, at least the approach of budgeting for it was appropriate. I believe we owe it to the American people, who are very aware of the cost and nature of our operations, to be upfront about the true state of our country's finances.

To make a second point, there have been times in the last several years when the House has passed a bill, the Senate has passed a bill, we convene a conference committee, and the House and Senate, Democrats and Republicans, have a full and open opportunity to participate in that conference committee.

Concerns have been raised. I think the chairman of this committee is, quite frankly, as fairminded a person as I know. It is a real joy to serve with him. I have said it to him privately and I will say it to him publicly. But I have heard reports back from those who felt they did not have opportunity extended to them to actually offer amendments in committee that they felt they had been assured they would have a chance to offer. That is a matter of concern to me and I think it would be if the shoe were on the other foot.

Third subject, REAL ID. There was an amendment I alluded to offered by Senator *Durbin* that passed the Senate. It passed the Senate 99 to 0. The amendment would have helped to compensate Federal employees who were called to active duty who were making more money as a Federal employee than they were after they had been activated to active duty. We passed by a 99-to-0 vote a provision that said we should make up the shortfall in those instances. That particular amendment that was passed by a 99-to-0 vote was left out of the conference report. I

know other items were never considered by the Senate. A prime example of that is the controversial REAL ID proposal somehow did find its way into the legislation. As I recall, we never had a chance on the Senate floor to even discuss the REAL ID issue. It was not part of our supplemental bill. Yet when the final bill comes up, we are looking at 55 pages of new immigration law that this body has never debated and which was inserted at the behest of the House Republican leadership.

I have a serious concern about whether these immigration provisions make sense. I know some feel they do, but I have some real concerns. The REAL ID Act, for example, would repeal the driver's license standards framework we created last year in the Intelligence Reform Act, which is based on the recommendations made unanimously by the 9/11 Commission. In place of the 9/11 Commission framework, REAL ID would create an entirely new and expensive Federal standard for the issuance of driver's licenses but provide no funding to my State, Mississippi, South Carolina, or any other State, for that matter. As a former Governor, I believe such unfunded mandates should not be considered lightly.

Furthermore, I have heard from a number of constituents in my own State who are concerned that the bill would make it more difficult for those fleeing religious persecution to gain asylum, while allowing the Secretary of Homeland Security to waive all laws in order to build a fence along our borders.

In this post-9/11 world we know it is vital to ensure security not only along our borders but also within our Nation. However, instead of thoroughly considering homeland security and immigration reform measures, the House has hastily tacked on legislation that could have potential negative consequences for the Latino and other immigrant

communities in my State and across our country. I think we should have had a proper debate to ensure that this legislation would actually protect our Nation and make us more secure.

The last thing I want to mention deals with Israel and the peace process there. I returned from that part of the world about 5 weeks ago, convinced there is an opening, a possibility, however difficult to achieve, that Israelis and Palestinians may find common ground; that the Palestinians finally have a chance to end up with a homeland of their own and to live side by side in a separate state, in a geographical area with the Israelis, who would have peaceful and secure borders and reasonable economic and diplomatic relations with their Arab neighbors.

I came back and called Secretary Rice and said, we ought to be putting as much energy and time and attention into trying to forge a final compromise, a final peaceful resolution, in Israel. To the extent we can do that between the Palestinians and the Israelis, we would probably do more to reduce the ability of terrorists to raise money, to reduce the ability of terrorists to recruit new terrorists, to reduce their ability to convince people in some kind of unholy jihad to go out and blow themselves up and kill a lot of innocent people.

If the United States can somehow emerge from a peace process in the Middle East and Israel and be seen as the honest broker in helping the Israelis and the Palestinians

get to a fair and peaceful permanent resolution, we would do more to set back the terrorists and end the war on terrorism, to make us safer in this country, to make people safer in Israel, in Palestinian-controlled areas, to make people safer in Iraq and Afghanistan as well.

When I was in Israel, I had the opportunity to travel to Ramallah. During that trip, we were behind a flatbed truck. As that truck went from Israeli-controlled territory into the West Bank, it had to go through a checkpoint. At the checkpoint, literally everything on the flatbed truck had to be removed and moved on to another flatbed truck in order to make sure there was not contraband, explosives or something there that would represent an endangerment to other people.

One of the best ways to ensure that terrorists still have plenty of places from which to recruit new terrorists in that part of the world is to ensure that the rate of unemployment in Palestinian-controlled areas remains at about 50 percent. It is in our interest, it is in the interest of the Israelis, it certainly is in the interest of Palestinians who want peace and a better life, for us to help bring down the rate of unemployment.

The way to do that is not to have trucks go from one part of that area to stop at a checkpoint and offload on to a new truck. There has to be a free flow of people and a free flow of goods, a free flow of commerce in that part of the world in order to help get the Palestinian economy up and on its feet and to bring down unemployment.

My parents used to say to me, an idle mind is the devil's workshop. Well, people who do not have anything to do with their time are also prime for being recruited as terrorists. To the extent we can help bring down the unemployment rate in the Palestinian communities, we also bring down the likelihood they are going to be recruited to become terrorists.

In the bill that passed the Senate, there is a provision for some \$200 million to support Palestinian political, economic, and security reforms. As we have gone through the process in conference, roughly the same

amount of money has emerged, and it is not going directly to the Palestinian Authority. A portion of that, maybe \$50 million, will end up going to the Government of Israel as they try to create high-security checkpoints which would allow that truck I talked about earlier to go through a high-tech security checkpoint and not have to be offloaded. It would enable people to move freely who are trying to get a job or going to a job from Palestinian areas to Israeli areas or vice versa, without being impeded from doing that, or having to spend hours trying to get through a checkpoint.

At the same time, we have the ability through the technology of today to stop the terrorists. People who are carrying contraband or explosives or stuff that will enable them to hurt other people can be stopped at these checkpoints. There is money in this bill that would enable the Israelis to help build terminals, checkpoints for folks to pass through, Palestinians or Israelis, for that matter, to reduce the likelihood of terrorist incidents that will grow out of that movement of people, and to better ensure that goods and services in commerce can move about freely. So that is a good thing.

There are some who will quarrel with whether the money should have gone directly to the Palestinian Authority or whether it is more appropriate to go through other organizations that we call NGOs. I am not going to get into that argument.

I say to my friend from Mississippi, we may have a chance later on--maybe in the Foreign Affairs appropriations bill or the foreign operations bill--to come back and revisit this issue and decide whether, given the reforms that are being made in the Palestinian Authority through reduced corruption, to tamp down on terrorism within organizations such as Hamas, we may have the opportunity to come back and

decide whether to allocate some additional money later this year to strengthen the position of President Abbas and to reward positive behavior on his behalf and that of other Palestinians.

So those are points I wanted to make. I am going to recap them again very briefly. First, the concern as we go forward for us to take as an example the budgeting approach used by earlier administrations, Democrat and Republican, President Johnson, President Nixon, at least in terms of funding the Vietnam war. After the first emergency supplemental appropriation, fiscal year 1966, they said we are going to make part of our regular budget request moneys to support that war effort. Again, we ought to do the same thing now going forward.

Second, I call on our Republican friends to remember the Golden Rule, to treat other people the way we want to be treated. As we go forward in these conference committees, to the extent we treat people fairly from our side, some day when we are in the majority--and some day we will be--more likely we will end up with a situation where the minority, in that case the Republicans, will be treated fairly, too.

On REAL ID, it will be interesting to see what the States come up with in response to these unfunded mandates. I don't like unfunded mandates. I never liked them as a Governor. I don't like it now. Whenever we in Washington figure out that we ought to tell the States and local governments how to spend the money, we don't provide the money. We tell them how to raise the money, or not raise the money, but we do not provide an offset. That is a slippery slope. I think we are on that slippery slope with respect to this REAL ID provision.

Finally, on the Palestinian peace initiative, I think it is important to promote investments in the Palestinian areas to get

their economy moving again, and it is important we help fund security measures that enable the free flow of commerce, of people and goods in and out of the Palestinian areas so they can reduce their

unemployment rates and reduce the threats of terrorism.

With that having been said, I am going to stop here. I suggest the absence of a quorum.